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September 10, 2004

FILE: FOCH:002US / 10404324

Mr. Charles P. Fort
16721 Marsala Springs Drive
Round Rock, TX 78681

RE: *U.S. Utility Patent Application No. 10/827,104 entitled: TECHNIQUES FOR
SURFACE EXPLORATION AND MONITORING - Justin L. Fort and Charles P. Fort*

Dear Chuck:

In accordance with our previous conversations, enclosed in connection with the above-identified patent application is our firm check for \$55.00, payable to the U.S. Patent and Trademark Office. This check will cover payment of the small entity, one-month extension of time for responding to the notice of missing parts.

We understand that you are seeking patent counsel to assist you with future prosecution matters for this application and its international counterpart (our reference FOCH:002WO). If you retain counsel, please let us know so that we can tell the Patent Office to send future correspondence to that counsel. Otherwise, we can arrange to return the files directly to you. If you would like further assistance in locating suitable counsel or if you have any questions, please do not hesitate to call me.

Very truly yours,

Michael C. Barrett

10/12/2004 GWORDOF1 00000010 10827104

01 FC:1251

110.00 DP

MCB/lak
Enclosure: F&J Check 28767

cc: Mr. Justin L. Fort (w/o enclosure)
Steven L. Highlander, Esq. (w/o enclosure)

02570
U.S. PTO

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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15364 U.S. PTC
10/827104

041904

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|-------------------------------|---|
| Attorney Docket No. | FOCH:002US |
| First Inventor | Justin L. Fort |
| Title | Techniques for Surface Exploration and Monitoring |
| Express Mail Label No. | EV 323284238 US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **50**]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **8**]
5. Oath or Declaration [Total Pages **1**]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: _____ / _____

Prior application information:

Examiner: _____

Group Art Unit: _____

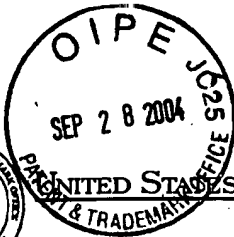
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

| | | | | | |
|----------------|---------------------------------|------------------|--------------|-----------------|--------------|
| Name | Michael C. Barrett, Esq. | | | | |
| Address | FULBRIGHT & JAWORSKI, L.L.P. | | | | |
| | 600 Congress Avenue, Suite 2400 | | | | |
| City | Austin | State | Texas | Zip Code | 78701 |
| Country | U.S.A. | Telephone | 512-536-3018 | Fax | 512-536-4598 |

| | | | |
|--------------------------|--------------------|--|------------|
| Name (Print/Type) | Michael C. Barrett | Registration No. (Attorney/Agent) | 44,523 |
| Signature | Michael C. Barrett | Date | 04/19/2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/827,104 | 04/19/2004 | Justin L. Fort | FOCH:002US |

CONFIRMATION NO. 1477

FORMALITIES LETTER



OC000000013091733

Michael C. Barrett, Esq.
FULBRIGHT & JAWORSKI, L.L.P.
Suite 2400
600 Congress Avenue
Austin, TX 78701

10/12/2004 GWORDF1 00000010 10827104

02 FC:1001 770.00 OP
03 FC:1051 130.00 OP
04 FC:1201 172.00 OP

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/12/2004 GWORDF1 00000010-10827104

FILED UNDER 37 CFR 1.53(b)

01-FC:1251 110.00 OP

Filing Date Granted

10/12/2004 GWORDF1 00000011 10827104

01 FC:1251 29.00 OP
Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1156 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2056** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1156**

- **\$688** for **8** independent claims over 3.
- **\$468** for **26** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

AL

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE